

5-29-01

A

EXPRESS MAIL RECEIPT NO. ET157498047US  
DEPOSITED ON MAY 25, 2001

PATENT  
DKT. 23052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

11046 U.S. PTO  
09/865891  
05/25/01

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventors: **Dana B. Swift**

For (title): **EVALUATING GRAPHIC IMAGE FILES FOR OBJECTIONABLE  
CONTENT**

**1. Type of Application**

This transmittal is for an original (nonprovisional) application.

**2. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153  
(Design) Application

18 Pages of Specification

9 Pages of Claims

5 Sheets of Drawings--Formal

B. Other Papers Enclosed

2 Pages of Declaration--Unsigned

1 Page of Abstract

1 Pages of Request and Certification Under 35 U.S.C. 122(b)(2)(B)(I)--Nonpublication

**3. Additional Papers Enclosed**

Information Disclosure Statement (37 C.F.R. 1.98), including Form PTO/SB/08A and 08B  
(Formerly PTO-1449) and sixteen (16) cited patent references

An acknowledgment postcard

**4. Declaration or Oath**

Enclosed--Unsigned

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

**7. Assignment**

An assignment of the invention to HEARTSOFT, INC. will follow.

**8. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED

Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c))	26	- 20 =	6 x	\$18.00	\$108.00
Independent Claims (37 CFR 1.16(b))	3	- 3 =	0 x	\$80.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00
Filing Fee Calculation					\$818.00

**9. Small Entity Statement(s)**

Applicant claims that this is a filing by a small entity under 37 C.F.R. Section 1.27.

Filing Fee Calculation (50% of above) \$409.00

**10. Fee Payment Being Made at This Time**

Enclosed

Filing Fee	\$409.00
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<b>Total Fees Enclosed</b>	\$409.00
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**11. Method of Payment of Fees**

Check in the amount of \$409.00 is attached.

**12. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 13-0110.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

**13. Instructions as to Overpayment**

Refund.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**14. Relate Back**

**A. 35 U.S.C. Section 119(e)**

"This application claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

**FILING DATE**

60/207,593

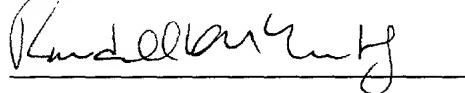
05/26/2000

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

Date: 5/25/01

Respectfully submitted,



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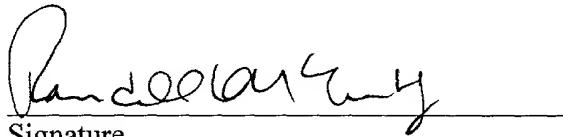
**REQUEST AND CERTIFICATION** First Named Inventor Dana B. Swift  
**UNDER** Title EVALUATING GRAPHIC IMAGE  
**35 U.S.C. 122(b)(2)(B)(I)** FILES FOR OBJECTIONABLE  
CONTENT  
Attorney Docket Number 23052

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

In making this certification I understand that "the invention disclosed in the attached application" is the invention first disclosed and claimed in the attached application and not the common disclosure of a distinct invention claimed in application Serial Number \_\_\_\_\_. Filed \_\_\_\_ which is subject to **foreign filing and eighteenth month publication under 35 U.S.C. 122.**

5/25/01

Date

  
Signature

Randall K. McCarthy  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do** so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).